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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Smith et al.

Serial No.: 10/776,959

Filing Date: 02/11/2004

Title: SENSOR AND METHOD FOR
DETECTING A PATIENT'S MOVEMENT
VIA POSITION AND OCCLUSION

Examiner:

Group Art Unit:
2832

Attorney Docket No.: 57609/04-013

BOX AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR 1.97(e)

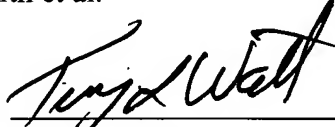
Sir:

The undersigned hereby certifies that either:

- (X) Each item of information contained in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- () No item of information contained in the Information Disclosure Statement
- was cited in a communication from a foreign patent office in a counterpart foreign application, and
- to the knowledge of the undersigned, after making reasonable inquiry, was known to an individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

Respectfully Submitted,

Smith et al.


By 

Terry L. Watt
Attorney/Agent for Applicant(s)
Reg. No.: 42214

I hereby certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on the date indicated below.

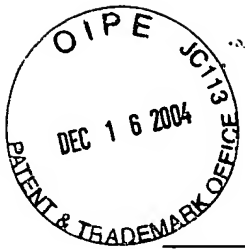
Date of Deposit: 12-13-2004

Typed Name: Carol Welch

Signature: 
#290317 v1

Date: December 8, 2004

Telephone No.: 918/599-0621



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Commissioner for Patents

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Supplemental Information Disclosure Statement is submitted:

☐ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

☒ under 37 CFR 1.97(c) together with either a:
☒ Statement under 37 CFR 1.97(e), or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with a:
☐ Statement under 37 CFR 1.97(e), and
☐ a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation. Under the new waiver of the requirement of 37 CFR 1.98(a)(2)(i), copies of the cited U.S. references are not being supplied with this Supplemental Information Disclosure Statement.

Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.


Respectfully submitted,

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Date of Deposit: 12-13-2004

Typed Name: Carol Welch

Signature: Carol Welch


Terry L. Watt
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